

ARTHUR J. CASEY (Bar No. 123273)
CARRIE M. DUPIC (Bar No. 240252)
ROBINSON & WOOD, INC.
227 North First Street
San Jose, CA 95113-1016
Telephone: 408/298-7120
Facsimile: 408/298-0477

Attorneys for Defendant
DHL CANADA EXPRESS, LTD. a
Canadian corporation; and LOOMIS CANADA
HOLDING COMPANY, INC. a Canadian
Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRICOR AMERICA, INC., a California
corporation

Plaintiff,

vs.

DHL CANADA EXPRESS, LTD., a
Canadian corporation; LOOMIS CANADA
HOLDING COMPANY, INC., a Canadian
corporation; and DOES 1 through 25,
inclusive,

Defendants.

Case No. C 07 4949 CRB

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
UNDER RULE 12(b)(6)**

Complaint filed: September 25, 2007

Assigned to Judge Charles R. Bryer

The Court having been fully advised,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss under Federal Rule of
Civil Procedure 12(b)(6) for failure to state a claim upon which relief may be granted is
GRANTED. Plaintiff's Complaint is DISMISSED without leave to amend.

Dated: _____

The Honorable Charles R. Bryer